

REMARKS/ARGUMENTS

Claims 1-46 and 60-65 remain pending in this application. Claim 25 has been amended in response to the Examiner's rejections. Claims 47-59, which were previously withdrawn in response to a restriction have been canceled without prejudice. Applicants reserve the right to present any canceled or withdrawn subject matter in one or more continuation or divisional applications.

Allowed Subject Matter

Applicants were very pleased to note that the Examiner allowed claims 1-24, 26-46, 60, 61 and 63-65. Applicants were also pleased to note that the Examiner accepted the amended abstract.

Oath/Declaration

Applicants note the continued objection against the Declaration of Inventor Jin, in which the address was amended. The Examiner asserts that the Declaration was amended without initial or date, and is thus defective under 37 C.F.R § 1.52(c). In fact, the Declaration was not "amended" (in the sense that it was signed, dated and then changed). The address was corrected and *then* the Declaration was signed and dated. Please also note that the rule states that any alteration must be made before signing of the Declaration (which it was) and should be dated and initialed or signed by the applicant on the same sheet of paper (which it was). Applicants enclose a copy of the Declaration forwarded to the Patent Office on June 5, 2002. Applicants request that the Examiner withdraw the objection because it is inconsistent with the facts and the requirements under 37 C.F.R. § 1.52(c).

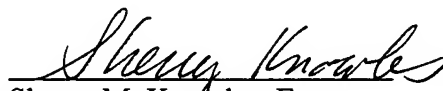
Rejections under 35 U.S.C. § 112

The Examiner has rejected claim 25 and dependent claim 62 under 35 U.S.C. § 112, first paragraph. The Examiner alleges that the negative limitation that “when Q is R¹CH₂-, R¹ is not H” adds new matter not included in the original specification.

The negative limitation in claim 25 has been removed and the claim has been amended to recite the compound of formula II wherein Q is R¹CH₂- and R¹ is C₁-C₆ alkyl or the compound of formula II wherein Q is R¹CH₂C(=O)OC(R²)- and R¹ is H or C₁-C₆ alkyl. This amendment finds support throughout the specification, for example in the original claim in which Q can be R¹CH₂ or R¹CH₂C(=O)OC(R²)- and R¹ can be hydrogen or C₁-C₆ alkyl. The compounds described in claim 25 are thus fully supported by the originally filed specification and do not add new matter. The rejection of claim 62 is overcome by the amendment to claim 25.

No fees are believed to be due in connection with this response. However, should the Commissioner determine otherwise, he is authorized to charge such fees and credit any overpayment to Deposit Account No. 11-0980.

Respectfully submitted,


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